

2191. Misbranding of Jaques' Poultry Preparation, Jaques' Worm Powder, Jaques' B C R, and Jaques' Inhalant Spray. U. S. v. Frank M. Jaques (F. M. Jaques Co.). Plea of guilty. Fine, \$400. (F. D. C. No. 20167. Sample Nos. 18678-H, 19188-H to 19190-H, incl.)

INFORMATION FILED: On or about June 11, 1947, Western District of Wisconsin, against Frank M. Jaques, trading as the F. M. Jaques Company, La Crosse, Wis.

ALLEGED SHIPMENT: On or about May 28 and 31 and June 14, 1945, from the State of Wisconsin into the State of Minnesota.

PRODUCT: Analyses disclosed that the *Jaques' Poultry Preparation* was a solution containing essentially potassium chloride, magnesium sulfate, potassium dichromate, and small amounts of nitrate, but containing no chlorates; that the *Jaques' Worm Powder* was a reddish-colored powder containing essentially plant material, including 32.76 percent ether extract (kamala resins) and 2.82 percent nicotine, but containing no nux vomica alkaloids; that the *Jaques' B C R* was an aqueous solution containing essentially potassium dichromate, potassium chlorate, tarry material, and a very small amount of aromatic camphoraceous oils; and that the *Jaques' Inhalant Spray* was an aqueous solution of formaldehyde and glycerin containing a small amount of aromatic camphoraceous oils.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the products and in circulars entitled "Information for Treating Poultry With Jaques' Remedies" which accompanied the *Jaques' Poultry Preparation*, the *Jaques' BCR*, and the *Jaques' Inhalant Spray* were false and misleading. These statements represented, suggested, and created the impression that the *Jaques' Poultry Preparation* when used as directed would be effective to treat bowel conditions of poultry and would be effective as a poultry regulator and conditioner; that the *Jaques' Worm Powder* when used as directed would be effective to remove round worms and ascarides from poultry; that the *Jaques' BCR* when used as directed would be effective in the treatment and prevention of respiratory diseases of poultry; and that the *Jaques' Inhalant Spray* when used as directed would be effective in the prevention and treatment of respiratory diseases of poultry and hogs. The articles would not be effective for the purposes claimed. The statement "Active Ingredients * * * Potassium Chlorate" borne on the label of the *Jaques' Poultry Preparation* and the statement "A Combination of * * * Nux Vomica Active Ingredients * * * Nux Vomica" borne on the label of the *Jaques' Worm Powder* were false and misleading since the former contained no potassium chlorate and the latter contained no nux vomica.

DISPOSITION: June 18, 1947. A plea of guilty having been entered, the court imposed a fine of \$100 on each of the 4 counts of the information.

2192. Misbranding of Occoton and Gemocco. U. S. v. Earl Rhine (Oelwein Chemical Co.). Plea of guilty. Fine, \$450 and costs. (F. D. C. No. 21440. Sample Nos. 19644-H, 50737-H, 51057-H.)

INFORMATION FILED: April 22, 1947, Northern District of Iowa, against Earl Rhine, trading as the Oelwein Chemical Co., Oelwein, Iowa.

ALLEGED SHIPMENT: On or about November 20, 1945, and February 23 and March 25, 1946, from the State of Iowa into the State of Minnesota.

PRODUCT: Analyses disclosed that the *Gemocco* was an aqueous solution containing water, potassium permanganate, aluminum sulfate, salt, and a small amount of potassium chlorate and hydrochloric acid; that a portion of the *Occoton* was an alkaline aqueous solution containing compounds of copper, sodium, ammonium, sulfate, and carbonate, together with capsicum; and that the remainder of the *Occoton* was an alkaline solution containing water, copper sulfate, sodium sulfate, sodium carbonate, and ammonium hydroxide, together with aromatic substances.

NATURE OF CHARGE: *Occoton*. Misbranding, Section 502 (a), certain statements on the label of the article, in a circular entitled "Feed the Occo Way," and in a book known as an "Instruction Book," accompanying the article, were false and misleading since they represented and suggested that the article would be efficacious as an alkalizer and alkaline astringent for hogs, poultry, and baby chicks; that it would be efficacious in the cure, mitigation, treatment, and prevention of simple anemia in hogs, poultry, and baby chicks, due to copper